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4 UNITED STATES DISTRICT COURT
5 EASTERN DISTRICT OF WASHINGTON

6 UNITED STATES OF AMERICA,

No. 2:16-CR-205-WFN

7
8 Plaintiff,

ORDER GRANTING
DEFENDANT'S MOTION
FOR RELEASE

9 vs.

10 VERNON FRANK EDWARD
11 WYNECOOP,

☒ Motion Granted

(ECF No. 24)

12 Defendant.

13 At the January 19, 2017, hearing on Defendant's Motion for release from
14 custody, ECF No. 24, Defendant was present with Assistant Federal Defender
15 Daniel N. Rubin. Assistant U.S. Attorney James A. Goeke represented the United
16 States.

17 The United States did not object to Defendant's Motion.

18 The Court finds there is a combination of conditions that can be set to
19 reasonably assure the Defendant's appearance for further proceedings and the
20 safety of the community if Defendant is released pending trial. Accordingly,

21 **IT IS ORDERED** that Defendant's Motion, **ECF No. 24**, is **GRANTED**.
22 Defendant shall be released, subject to the following:

23 **STANDARD CONDITIONS OF RELEASE**
24

- 25 (1) Defendant shall not commit any offense in violation of federal, state or local
26 law. Defendant shall advise the supervising Pretrial Services Officer and
27 defense counsel within one business day of any charge, arrest, or contact
28 with law enforcement. Defendant shall not work for the United States
government or any federal or state law enforcement agency, unless

1 Defendant first notifies the supervising Pretrial Services Officer in the
2 captioned matter.

3 (2) Defendant shall immediately advise the court, defense counsel and the U.S.
4 Attorney in writing before any change in address and telephone number.

5 (3) Defendant shall appear at all proceedings as required and shall surrender for
6 service of any sentence imposed as directed.

7 (4) Defendant shall sign and complete A.O. Form 199C before being released
8 and shall reside at the address furnished.

9 (5) Defendant shall not possess a firearm, destructive device or other dangerous
10 weapon.

11 (6) Defendant shall report to the United States Probation Office before or
12 immediately after release and shall report as often as they direct, at such
13 times and in such manner as they direct.

14 (7) Defendant shall contact defense counsel at least once a week.

15 (8) Defendant is further advised, pursuant to 18 U.S.C. § 922(n), it is unlawful
16 for any person who is under indictment for a crime punishable by
17 imprisonment for a term exceeding one year, to possess, ship or transport in
18 interstate or foreign commerce any firearm or ammunition or receive any
19 firearm or ammunition which has been shipped or transported in interstate or
20 foreign commerce.

21 (9) Defendant shall refrain from the use or unlawful possession of a narcotic
22 drug or other controlled substances defined in 21 U.S.C. § 802, unless
23 prescribed by a licensed medical practitioner in conformance with Federal
24 law. Defendant may not use or possess marijuana, regardless of whether
25 Defendant has been authorized medical marijuana under state law.

26 (10) Defendant shall surrender any passport to Pretrial Services and shall not
27 apply for a new passport.

28 **ADDITIONAL CONDITIONS OF RELEASE**

(11) The Defendant is placed with James and Wendy Leedom, who agree to sign

1 a copy of A.O. Form 199B, **to be kept in Pretrial Services' file** and to
2 supervise the Defendant consistent with all the conditions of release; use
3 every effort to assure the appearance of the Defendant at all scheduled court
4 proceedings; and notify the court immediately in the event the Defendant
violates any conditions of release or disappears.

5 (14) Defendant shall remain in the District of Idaho or the Eastern District of
6 Washington while the case is pending. By timely motion clearly stating
7 whether opposing counsel and Pretrial Services object to the request,
Defendant may be permitted to travel outside this geographical area.

8 (15) Avoid all contact, direct or indirect, with any persons who Defendant would
9 reasonably know are or may become a victim or potential witness in the
10 subject investigation or prosecution. Pretrial Services may but is not
11 required to exempt specific named individuals from this prohibition,
including but not limited to immediate family members or co-workers.

12 (16) Avoid all contact, direct or indirect, with known felons or Co-Defendant(s).
13 Pretrial Services may but is not required to exempt specific named
14 individuals from this prohibition, including but not limited to immediate
15 family members or co-workers.

16 (17) Undergo mental health evaluation and comply with any treatment
17 recommendations. Any information regarding Defendant's mental health
18 will be shared with Pretrial Services to monitor compliance with these
19 conditions, but absent further order of the court will not be shared with
prosecuting authorities.

20 (18) Refrain from any use of alcohol.

21 (19) There shall be no alcohol in the home where Defendant resides.

22 (20) There shall be no firearms in the home where Defendant resides.

23 (21) Defendant may not be in the presence of minors, unless a responsible adult,
24 who is aware of these charges, is present at all times. Defendant may not be
25 within 500 feet of schools or playgrounds or places where minors are known
26 to congregate. This condition does not apply to Defendant's seventeen year
27 old half-brother, referenced in the Supplemental Pretrial Services report.
28

1 (22) Defendant shall not possess or access pornography in any form, electronic or
2 otherwise. Defendant shall not have access to the internet, including but not
3 limited to cell phones, tablets, computers or any other digital electronic
4 devices with internet access. Should Defendant obtain employment
5 involving the use of computers or other digital devices, this condition may
6 be revisited. Any computers where Defendant resides shall be password
7 protected.

8 **HOME CONFINEMENT/ELECTRONIC/GPS MONITORING**

9 (28) Defendant shall participate in one or more of the following home
10 confinement program(s):

11 **Electronic Monitoring:** The Defendant shall participate in a program of
12 electronically monitored home confinement. The Defendant shall wear, at
13 all times, an electronic monitoring device under the supervision of U.S.
14 Probation. In the event the Defendant does not respond to electronic
15 monitoring or cannot be found, the U.S. Probation Office shall forthwith
16 notify the United States Marshals' Service, who shall immediately find,
17 arrest and detain the Defendant. The Defendant shall pay all or part of the
18 cost of the program based upon ability to pay as determined by the U.S.
19 Probation Office.

20 OR

21 **GPS Monitoring:** The Defendant shall participate in a program of GPS
22 confinement. The Defendant shall wear, at all times, a GPS device under the
23 supervision of U.S. Probation. In the event the Defendant does not respond
24 to GPS monitoring or cannot be found, the U.S. Probation Office shall
25 forthwith notify the United States Marshals' Service, who shall immediately
26 find, arrest and detain the Defendant. The Defendant shall pay all or part of
27 the cost of the program based upon ability to pay as determined by the U.S.
28 Probation Office.

AND

Home detention: Defendant shall be restricted to his/her residence at all
times except for: attorney visits; court appearances; case-related matters;
court-ordered obligations; or other activities as pre-approved by the Pretrial
Services Office or supervising officer, including but not limited to

1 employment, religious services, medical necessities, substance abuse testing
2 or treatment, or mental health treatment.

3 **(31)** Defendant shall not change his residence without prior approval of Pretrial
4 Services.

5 If a party desires that another Court review this order pursuant to 18 U.S.C.
6 § 3145, that party shall promptly file a motion for review before the district judge
7 to whom the case is assigned, as further described in the Detention Order Review
8 Protocol published for the Eastern District of Washington. Both parties shall
9 cooperate to insure that the motion is promptly determined.

10 DATED January 19, 2017.



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A handwritten signature in black ink, appearing to be "M" or "Rodgers", written over a horizontal line.

JOHN T. RODGERS
UNITED STATES MAGISTRATE JUDGE